

**REMARKS**

This Amendment is responsive to the Office Action mailed on September 29, 2004. Claims 1, 8, 14, 15, 20, 22, 24, 30, 31, and 34 are amended. Claims 1-34 are pending.

Claims 1-34 were rejected under 35 U.S.C. § 102(e) as being anticipated by Kogure (US 6,734,589).

Applicants respectfully traverse these rejections in view of the amended claims and the following comments.

**Discussion of Amended Claims**

Claim 1 is amended to clarify that the electronics housing is adapted to be inserted within an outer motor housing of said electric motor. Claim 31 is similarly amended to specify that the electronics housing is within said motor housing.

In addition, claims 1, 8, 14, 15, 20, 22, 24, 30, 31, and 34 are amended herein to improve readability thereof.

**Discussion of Kogure**

Claims 1-34 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Kogure. This rejection is respectfully traversed. An anticipation rejection requires that each and every element of the claimed invention as set forth in the claim be provided in the cited reference. See *Akamai Technologies Inc. v. Cable & Wireless Internet Services Inc.*, 68 USPQ2d 1186 (CA FC 2003), and cases cited therein. As discussed in detail below, Kogure does not meet the requirements for an anticipation rejection.

Kogure discloses two embodiments of an electric motor. The first embodiment is shown in Figures 1-4 and the second embodiment is shown in Figures 5 and 6. With the first embodiment, it can be seen from Figures 1 and 4 that the electronic circuitry representing motor controller 19 is arranged within front bracket 4 of motor housing 2 and surrounding brush holder unit 14 (Col. 3, line 65 through Col. 4, line 2; Col. 4, lines 34-36). The electrical connection

between motor controller 19 and brushes 17 is provided by connecting terminals 18 which are supported on the electronic circuitry and elastically deformable in a radial direction of front bracket 4 in order to provide a resilient electric contact (e.g., Col. 4, lines 7-13).

As can be seen from Figures 1 and 4 of Kogure, the electronic circuitry 19 itself is not encapsulated or protected. The electronic circuitry 19 is simply arranged within outer motor housing 2 of the electric motor, which consists of front bracket 4 and yoke 3. In contrast, the electronics housing of Applicant's claimed invention as set forth in amended claim 1 is adapted for insertion into an outer motor housing. Accordingly, the present invention provides for sealing an electronic circuit within a protective housing which is designed to be within the outer motor housing. The electronics housing of Applicant's claimed invention seals the electronic circuit module in relation to the surroundings within an outer housing of said electric motor. Such a design as claimed by Applicant protects the electronic circuit from dirt and dust which may be present in the motor housing (e.g., dirt and dust which may be produced by abrasion of motor parts), and from moisture which may find its way into the motor housing.

In contrast, with the design disclosed in Figures 1-4 of Kogure, the electronic circuitry is not sealed off from the interior of the motor housing 2, and thus dirt or dust may accumulate on electronic circuitry 19. Accordingly, humidity may contribute to parasitic currents, which will eventually result in failure of the electronic circuitry 19. Further, in Kogure, the front bracket 4 has a tube like section 4b through which the wiring for supplying current to motor controller 19 is guided and through which humidity and dust from outside the electric motor can enter motor housing 2.

In other words, the first embodiment of Kogure discloses an arrangement of unprotected electronic circuitry within the outer motor housing of a motor, without any protection from dirt or dust in the course of running of the motor and without any protection against humidity present within motor housing 2.

The embodiment of Figures 1-4 of Kogure does not disclose or remotely suggest an electronics housing for sealing an electronic circuit which is within an outer motor housing, as claimed by Applicant. The yoke 3 of Kogure, which forms part of the motor housing 2, is not

equivalent to Applicant's claimed electronics housing as apparently assumed by the Examiner. Applicant's claimed electronics housing is a protective housing for the electronic circuit module, which is arranged within the motor housing.

The second embodiment of Kogure shown in Figures 5 and 6 uses a different approach than that of the first embodiment of Kogure. In this second embodiment, the electronic circuitry 19 is embedded in a plastic or resin material 35 which forms the brush holder unit 33 (Col. 8, lines 44-46).

When integrated within brush holder unit 33, the electronic circuitry 19 of Kogure is protected from dirt and moisture. However, such a design is the type of prior art which is mentioned in Applicant's specification (page 1) as the starting point of the present invention.

A key aspect of the present invention is to arrange the electronic circuitry module in an electronics housing which seals the electronic circuitry module in an interior space thereof in a functionally reliable manner in relation to the surroundings present within the outer housing of the motor. The advantage of the present invention is that there is no need to embed the electronic circuitry within a plastics or resin material. Therefore, the present invention reduces cost by avoiding the use of such embedding compounds, is easily recyclable, and is resistant to temperature changes, as explained beginning on page 2, last paragraph of Applicant's specification. The second embodiment of Kogure, which embeds the electronic circuitry 19 in a resin, does not provide these advantages.

On page 2 of the Office Action, the Examiner refers to column 2, lines 47-48 of Kogure, which indicates that the electronic circuit is formed in the brush holder. As discussed above, the embodiment where the electronic circuit is formed in the brush holder is the second embodiment shown in Figures 5 and 6, and not the first embodiment of Figures 1-4.

Embedding an electronic circuit in resin or plastic material as disclosed in the second embodiment of Kogure is not equivalent to Applicant's claimed electronics housing, which is formed by the brush holder support and a protective cover connected to the electronics housing.

Accordingly, neither embodiment of Kogure discloses or suggests a power supply unit for an electric motor having an electronics housing adapted to be inserted within an outer motor

housing of said electric motor, where the electronics housing is formed by the brush holder support and a protective cover connected to the brush holder support, in order to seal an electronic circuit module arranged in an interior of the electronics housing in a functionally reliable manner in relation to the surroundings within the outer motor housing of said electric motor, as set forth in Applicant's claim 1.

Corresponding arguments apply equally to Applicant's amended claim 31, which sets for an electric motor having a power supply unit as set forth in claim 1.

As Kogure does not disclose each and every element of the invention as claimed, the rejections under 35 U.S.C. § 102(e) are believed to be improper, and withdrawal of the rejections is respectfully requested. See, *Akamai Technologies Inc., supra*.

Applicants respectfully submit that the present invention would not have been obvious to one skilled in the art in view of Kogure, taken alone or in combination with any of the other prior art of record.

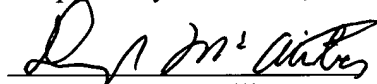
Further remarks regarding the asserted relationship between Applicant's claims and the prior art are not deemed necessary, in view of the foregoing discussion. Applicants' silence as to any of the Examiner's comments is not indicative of an acquiescence to the stated grounds of rejection.

Withdrawal of the rejections under 35 U.S.C. § 102(e) is therefore respectfully requested.

Conclusion

The Examiner is respectfully requested to reconsider this application, allow each of the pending claims and to pass this application on to an early issue. If there are any remaining issues that need to be addressed in order to place this application into condition for allowance, the Examiner is requested to telephone Applicants' undersigned attorney.

Respectfully submitted,



Douglas M. McAllister  
Attorney for Applicant(s)  
Registration No.: 37,886  
Lipsitz & McAllister, LLC  
755 Main Street  
Monroe, CT 06468  
(203) 459-0200

ATTORNEY DOCKET NO.: HOE-801

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